



**Professional Services Agreement
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 13
AGENDA DATE: Thu 10/06/2005
PAGE: 1 of 4

SUBJECT: Authorize negotiation and execution of a professional services agreement with FREESE AND NICHOLS, INC., Austin, TX, for engineering services for preliminary design improvements, design and preparation of contract documents, and construction phase services for the stormwater pond safety program, in an amount not to exceed \$2,000,000.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$500,000 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Watershed Protection and Development Review Department. Funding for the remainder of the contract is contingent upon available funding in future budgets.

FISCAL NOTE: A fiscal note is attached.

REQUESTING DEPARTMENT: Public Works
for Watershed Protection and
Development Review;

DIRECTOR'S AUTHORIZATION: Sondra Creighton

FOR MORE INFORMATION CONTACT: Glen Taffinder, 974-3381; Felix Benavides, 974-7027; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

PURCHASING: Best qualified of four Statements of Qualifications received.

MBE / WBE: 16.75% MBE and 14.25% WBE subconsultant participation.

In October 2003, the City of Austin (City) determined that out of approximately 600 stormwater management ponds the city is responsible for, 61 have dams that are required to meet the State dam safety criteria. The purpose of the criteria is to assure that dams do not breach or fail during extreme flood conditions exceeding the 100-year storm. The City has determined that 57 of the 61 dams do not meet the State criteria. The city has prioritized the dams and this request for action will enable the City to provide solutions for the modifications of the first eight dams on the prioritization list to meet the State criteria.

For each dam analyzed under this request, the selected consultant shall: create a detailed hydrologic and hydraulic analysis of the dam and downstream areas; design modifications to the dam to safely pass the full probable maximum flood event; complete emergency action plans, and provide for construction phase services.

The selected consultant shall also review the conceptual plan created by City staff, subdivision construction plans, and other available relevant information and reports for each dam. In addition, the consultant will perform field surveys to verify existing information, identify environmentally sensitive areas, determine neighborhood concerns, and prepare recommendations on the required improvement alternatives including project cost estimate(s).

In general, the selected firm shall review available hydrologic and hydraulic analyses of the watershed



**Professional Services Agreement
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 13
AGENDA DATE: Thu 10/06/2005
PAGE: 2 of 4

where each dam is located to recommend feasible dam safety mitigation solutions. The engineer shall consider all feasible solutions. The firm shall identify additional information needs; obtain required additional information or notify the City of Austin of the information needed; and shall estimate the construction costs of the alternatives. The engineering firm will recommend one or more evaluated solutions for implementation; develop and present a project implementation schedule; prepare and submit a Dam Safety Solutions/Cost Evaluation documenting their evaluations, studies, cost estimates, schedules, and recommendations.

Upon written authorization from the City, the selected firm will prepare project plans and specifications for the proposed improvement for each dam using City of Austin standards in the preparation of the project contract documents. The firm will identify and apply for all applicable permits and assist with easement acquisition if necessary; refine estimates of the construction costs for the approved improvements, and assist the City in advertising the project for bids and in developing the construction contract(s).

The selected firm may be required to furnish construction phase services which may include, but not necessarily be limited to, periodic visits to the contractor's job site to review the progress and character of the work being accomplished; review periodic payment estimates of the contractor(s); review and approve submittals and any necessary change orders; interpret the plans, specifications and other contract documents as required; conduct project reviews with the contractor(s) and the City; and prepare as-built drawings of the completed facilities and other necessary and related services associated with the engineer's designs as applied to the construction processes. The total maximum amount to the selected consultant shall not exceed \$2,000,000.

This request allows for the development of a professional services agreement with the recommended firm. If the City is unsuccessful in negotiating a satisfactory agreement with the recommended firm, negotiations will cease with that firm. Staff would then return to Council and request authorization to begin negotiations with the alternate firm recommended below.

Participation subgoals stated in the solicitation were 1.7% African American; 9.5% Hispanic; 4.7% Asian American; and 14.2% WBE. Both the recommended and alternate firms provided M/WBE Compliance Plans that met the goals of the solicitation and were approved by the Department of Small and Minority Business Resources.

Notification of issuance of a Request for Qualifications (RFQ) for the subject services was sent to 265 firms on July 8, 2005. Forty firms responded to the RFQ. Four submitted qualification statements. None were certified M/WBE firms. Evaluation of the four firms results in the following recommendation:



**Professional Services Agreement
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 13
AGENDA DATE: Thu 10/06/2005
PAGE: 3 of 4**

RECOMMENDED FIRM: FREESE AND NICHOLS, INC., AUSTIN, TX – Total Participation:

NON M/WBE TOTAL – PRIME 67.00%
Freese and Nichols, Inc., Austin, TX 67.00%

MBE TOTAL – SUBCONSULTANTS 16.75

African American Subtotal 2.00%
(FB) CPM Engineering, Austin, TX (construction services) 2.00%

Hispanic Subtotal 9.50%
(MH) Jaster-Quintanilla, Austin, TX (structural elevation & design) 9.50%

Asian American Subtotal 5.25%
(MA) Raymond Chan & Assoc., Austin, TX (hydrological services) 2.75%
(MA) TTL Corp., Cypress, TX (geographical information services) 2.50%

WBE TOTAL – SUBCONSULTANTS 14.25%

(FR) Dynamic Reprographics, Austin, TX (copying services) 2.00%
(FR) Holt Engineering, Inc., Austin, TX (geotechnical testing) 6.00%
(FR) McGray & McGray Land Surveyors, Austin, TX (surveying) 6.25%

NON M/WBE TOTAL – SUBCONTRACTORS 2.00%

Turner Collie & Braden, Inc., Austin, TX (environmental field work, permitting) 1.00%
CivilTech Engineering, Inc., Round Rock, TX (review reports & technical memos) 1.00%



**Professional Services Agreement
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 13
AGENDA DATE: Thu 10/06/2005
PAGE: 4 of 4**

ALTERNATE FIRM: CARTER & BURGESS, INC., AUSTIN, TX – Total Participation:

NON M/WBE TOTAL – PRIME 50.00%
Carter & Burgess, Inc., Austin, TX 50.00%

MBE TOTAL – SUBCONTRACTORS 18.50%

African American Subtotal 2.00%
(FB) Group Solutions RJW, Austin, TX (advertising, public relations, communications) 2.00%

Hispanic Subtotal 9.50%
Jose I. Guerra, Inc., Austin, TX (structural engineering) 9.50%

Asian American Subtotal 7.00%
(MA) Raymond Chan & Associates, Inc., Austin, TX (civil engineering, cost estimating, hydrological services) 7.00%

WBE TOTAL – SUBCONTRACTORS 15.00%
(FR) McGray & McGray Land Surveyors, Austin, TX (surveying, global positioning system, mapping, land surveying) 8.00%
(FR) Holt Engineering, Inc., Austin, TX (geotechnical services) 5.00%
(FR) Baer Engineering & Environmental Consulting, Austin, TX (environmental consulting, engineering & impact studies) 2.00%

NON M/WBE TOTAL – SUBCONTRACTORS 16.50%
Dodson & Associates, Inc., Houston, TX (engineering consulting, civil engineering, dam assessment, hydrological services)

CIP BUDGET FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:

6-Oct-05

WHERE ON AGENDA:

DEPARTMENT:

Watershed Protection & Development Review

Description: Authorize negotiation and execution of a professional services agreement with FREESE AND NICHOLS, INC., Austin, TX, for engineering services for preliminary design of improvements, design and preparation of contract documents, and construction phase services for the Pond Dam Safety Mitigation, in an amount not to exceed \$2,000,000.

FINANCIAL INFORMATION:

Project Name: Pond Safety
Project Authorization: 2005-2006 Approved Capital Budget
Funding Source: Drainage Utility Fund
Fund/Agency/Orgn: 4850-6:7-2014

Total Current Appropriation*	\$600,000.00
Unencumbered Balance	\$509,030.00
Amount of this Action	<u>(\$500,000.00)</u>
Remaining Balance	<u><u>\$9,030.00</u></u>

*Includes \$500,000 FY2006 new appropriation.

Financial Approval: _____

Date: _____

**Public Works Department
Evaluation of Consultant Qualifications**

Composite

Received: August 3, 2005

Project: Pond Dam Safety Mitigation

EVALUATION MATRIX

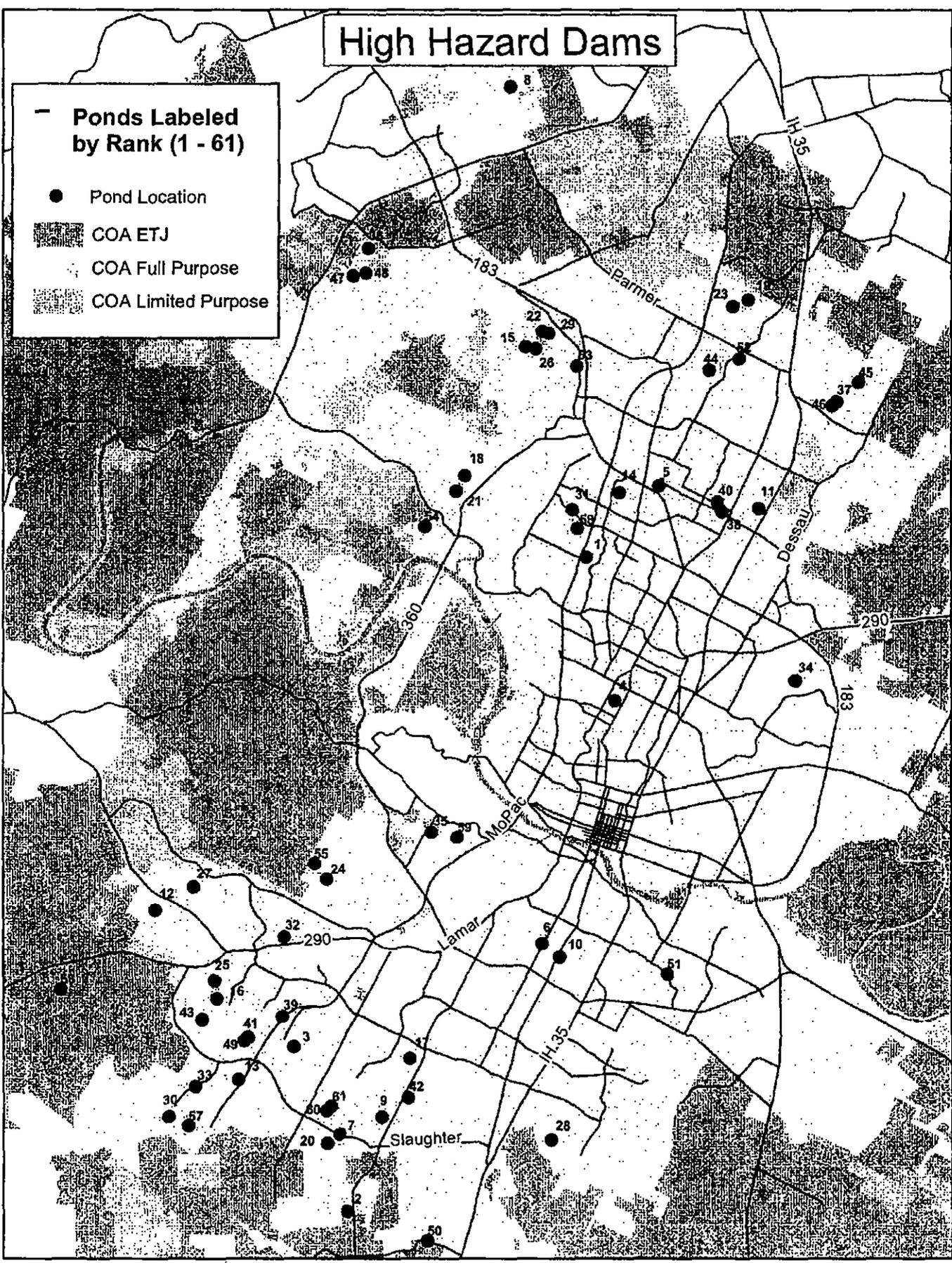
Project Manager: Glen Taffinder, P.E.

Firm (or Joint Venture)	EP/LS (Currently excluded)	[Yes or No] Affidavit	Item 1 [Yes or No] M/WBE Goals met or G.F.E.	Item 2 [Yes or No] Prime Firm's EEO Program	Item 3 [24] Experience of Project Manager(10) Engineer(8) Principal (6)	Item 4 [15] Experience and Availability of Proposed Staff	Item 5 [15 w/subs] [30 w/o subs] Prime Firm's Comparabil Project Experience	Item 6 [15 w/subs] [10 w/o subs] Subconsultant Firm's Comparabil Project Experience	Item 7 [8] Team's Experience with Austin Issues	Item 8 [12] Team's Structure and Project Approach	Item 9 [11] COA Experience with Prime	Item 10 [100] SUB TOTAL	Item 10 [25] Optional Interview	[125] TOTAL POINTS
Peese & Nichols, Inc.	No	Yes	Yes	Yes	22.2	12.6	15	12.6	8	11.6	11	93.0		93.0
Carter & Burgess, Inc.	No	Yes	Yes	Yes	17.8	11.6	12	11.6	8	10.6	11	82.6		82.6
Espey Consultants, Inc.	No	Yes	Yes	Yes	18	10.4	11.6	11.8	7.6	10.4	11	80.8		80.8
URS Corporation (Nonresponsive)	No	Yes	No	Yes	0	0	0	0	0	0	0	0		0

High Hazard Dams

Ponds Labeled by Rank (1 - 61)

- Pond Location
- COA ETJ
- COA Full Purpose
- COA Limited Purpose



**City of Austin
Stormwater Pond Safety Program**

The purpose of the City of Austin Stormwater Pond Safety Program is to protect citizens by reducing the risks to life and property from failure of drainage management pond dam structures.

The City has required drainage management ponds since the mid 1970's to mitigate the impact of new development on runoff rate and volume increases and impact on water quality. The City Drainage Criteria Manual has included dam safety design criteria since 1977. Currently, the City is responsible for the maintenance and operation of more than 500 detention ponds and water quality ponds.

Over 60 of the existing ponds operated and maintained by the City are subject to State Dam Safety Criteria. The purpose of the Stormwater Pond Safety Program is to evaluate the dams associated with these ponds to determine if structural modifications or strengthening is required to attain compliance with City and State Safety Criteria. If required, the dams will be structurally modified to prevent failure during extreme flood events. Additionally, the program has the purpose of assuring that all newly constructed dams are compliant with State Safety Criteria.

State Dam Safety Criteria is contained within the Texas Administrative Code, Title 30, Chapter 299 DAMS AND RESERVOIRS, which provides the criteria for the design of new dams and for the assessment and modification of existing dams in Texas.

The objectives of the Program are:

- To perform a preliminary design and capital improvements implementation study to determine the cost-effectiveness of the alternatives to modify existing high hazard dams to comply with safety criteria
- To update and maintain a pond dam inventory database
- To develop an Inspection and Assessment plan for each dam
- To ensure that new and existing dams are safe
- To encourage acceptable engineering policies and procedures to be used for the design, construction, operation, maintenance and development of emergency action plans
- To develop and encourage public awareness projects to increase public acceptance and support of the program
- To develop technical assistance material which provides training for COA staff to establish, implement, and sustain the Pond Safety Program